

MINUTES
TIGARD CITY COUNCIL BUSINESS MEETING
February 26, 2002

• STUDY SESSION

- Meeting was called to order at 6:36 p.m.
- Council Present: Mayor Griffith; Councilors Dirksen, Moore, Patton, and Scheckla

> PREVIEW A REVISION TO CITYWIDE PERSONNEL POLICIES
UPDATING FAMILY AND MEDICAL LEAVE

Human Resources Director Zodrow and Human Resources Senior Analyst Burbank introduced this agenda item. A copy of the staff report is on file in the City Recorder's office. Ms. Zodrow and Ms. Burbank previewed revisions to Resolution No 00-08, Citywide Policies to update the provisions for family and medical leave.

> WASHINGTON SQUARE REGIONAL CENTER PLAN

It was noted the public hearing on the Washington Square Regional Plan was closed. Council decided it would allow testimony from Bill Adams including allowing him to submit his testimony if he is in attendance at tonight's business meeting. (The written testimony for Mr. Adams was submitted by attorney Ross Day and is dated February 26, 2002. This testimony is on file in the City Recorder's office). No other testimony will be allowed.

Mr. Hendryx advised that the findings include statewide goal information. (See memorandum dated February 26, 2002, from Community Development Director Hendryx to the Tigard City Council regarding "Findings on Statewide Goals" on file in the City Recorder's office.)

- > Council reviewed minor wording changes to the Joint Funding Agreement (Agenda Item 4.4); changes included adding Raleigh and Clackamas water agencies.
- > Council discussed a lunch to be held by Tualatin Valley Fire & Rescue on March 5, 2002.
- > City Manager Monahan briefly reviewed highlights of his recent USAid trip to Samarinda, Indonesia, and the memorandum of understanding developed to assist the City and County (Kutai) with local government services.

Meeting recessed at 7 p.m.

1. BUSINESS MEETING

- 1.1 Call to Order - City Council & Local Contract Review Board
Mayor Griffith called the meeting to order at 7:33 p.m.
- 1.2 Roll Call: Mayor Griffith; Councilors Dirksen, Moore, Patton, and Scheckla.
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports: None
- 1.5 Call to Council and Staff for Non-Agenda Items: None

7:35 PM

2. VISITOR'S AGENDA

- Carl Hosticka, Metro Council Presiding Officer, 600 NE Grand Avenue, Portland, OR 97232, was present to clarify the intent of a Metro Council resolution referring a measure to the voters on the May ballot. This proposed measure would amend the Metro Charter to require the Metro Council to amend the Regional Framework Plan to support the character of identified inner and outer neighborhoods. (See February 19, 2002, letter on file in the City Recorder's office, which was written to the Mayor and City Council from Mr. Hosticka.) Brenda Bernard, Metro Senior Planner, was also present and described the difference between inner and outer neighborhoods. Council discussed the difficulty this type of ballot measure represents for the Council as it considers the Washington Square Regional Center: Metro states it supports regional centers and existing density criteria, yet the message of the ballot title is that Metro has strong concerns about existing neighborhoods.
- Jack Polans, SW Queen Victoria, King City, OR 97224, requested that Consent Agenda Item Nos. 4.3 and 4.4 be removed from the Consent Agenda and discussed separately. (These items were considered at the end of the meeting.)
- Dan Duffy (no address given) advised he was representing his neighborhood, which would like to be excluded from the Washington Square Regional Center plans. Mr. Duffy's neighborhood is located in Washington County (not in the City of Tigard).
- Steve Schopp, 10475 SW Helenius Road, Tualatin, OR 97062, said Mr. Hosticka's comments opened up the record on the Washington Square Regional Plan. He said that the proposed ballot title from Metro was done to oppose and defeat a ballot measure from Oregonians in Action.

3. PROCLAMATION – Mayor Griffith issued the following proclamation:

a. Days of Remembrance, April 7 – 14, 2002

4. CONSENT AGENDA: Motion by Councilor Moore, seconded by Councilor Scheckla, to adopt the Consent Agenda (with Item Nos. 4.3 and 4.4 pulled for consideration at the end of the meeting).

4.1 Approve Council Minutes for November 27, December 11, December 18, 2001 and January 8, 2002

4.2 Approve an Updated Lease with Loaves and Fishes for the Use of the Tigard Senior Center

The motion was approved by a unanimous vote of Council present:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

4.3 Adopt a Resolution Recognizing Transfer of Juvenile Caseload to the Municipal Court – Resolution No. 02 - _____ (*Considered at end of meeting.*)

4.4 Approve Bull Run Regional Drinking Water Agency Joint Funding Agreement (*Considered at end of meeting.*)

5. CONSIDER A RESOLUTION IMPLEMENTING THE WASHINGTON SQUARE REGIONAL CENTER PLAN, AND AN ORDINANCE AMENDING THE TIGARD COMPREHENSIVE PLAN AND MUNICIPAL CODE

a. Staff Report: Community Development Department

The public record was opened for the narrow purpose of accepting a letter from Mr. Ross Day, attorney for Mr. Bill Adams. The February 26, 2002, letter is on file in the City Recorder's office.

Mr. Bill Adams, 7889 SW Birdshill Court, Portland, OR 97223, outlined his concerns with the "downzoning" of his property because of the MUR-2 requirements that both business and residential components must be available in this zone's developments.

Community Development Director Hendryx reviewed the issues raised during previous public testimony. These issues were addressed in a February 1, 2002, memorandum to Council, which is on file in the City Recorder's office. Community Development Director Hendryx confirmed that Beaverton and Washington County will hold public hearings for the properties of the Washington Square Regional Center Plan that are in those jurisdictions.

City Attorney Ramis responded to the earlier comment (Schopp – Visitor's Agenda) that comments from Metro Councilor Hosticka constituted opening the public record. Mr. Ramis advised that the comments from the Metro Hosticka are not part of this record, nor will they be part of the consideration by Council. The information presented by staff was not new material.

There was further discussion on zoning and the boundaries affected by the Plan.

- b. Staff Recommendation: To implement the Washington Square Regional Plan, Comprehensive Plan, and Development Code Amendments (proposed resolution). To adopt the Comprehensive Plan and Development Code amendments (proposed ordinance).
- c. Council Discussion

Council Patton noted issues she had about upzoning in the floodplain and wetland areas. She noted her concern that mitigation of wetlands does not have to take place in the same area that has been impacted. She said she was pleased that the impacts to existing residential area were limited. She said she was troubled where there were requirements that commercial areas must also try to find room for residential use. She noted that infrastructure funding cannot be implemented up front, but there is a blueprint contained in the Plan outlining what is needed. The Plan makes no assumptions about where funding should come from and she noted it is difficult to anticipate availability of state or federal funding. She said the bottom line is that a Plan is needed and she thinks this is a good Plan. She said areas that needed closer scrutiny included the upzoning in the flood plain and the changes proposed for requiring residential uses that were predominantly commercial before.

Councilor Scheckla noted his agreement with Council Patton's remarks.

Councilor Dirksen agreed that this is a blueprint that can be implemented when a property owner chooses to develop in this area. This won't happen "tomorrow" – it's a 20-year plan.

Councilor Moore thanked the Task Force and the Subcommittees for their work. He agreed with Councilor Dirksen in that this area will redevelop in time and it's important to have a plan for an organized redevelopment. He referred to the process that was done to create this plan, including the recommendation by the Task Force and the Planning Commission. He said the Plan represents a "living document" that can be adjusted as needed.

Mayor Griffith also noted agreement with Councilor Dirksen's comments about the Plan being implemented only as property owners decide to develop. He also agreed it was important to have a plan in place.

Councilor Scheckla referred to some potential new "vertical zoning" applications that could be of benefit to the area. He recommended the Council take a slower approach in order to eliminate any potential hardships.

Community Development Director explained building within wetland areas and how densities are computed. The Plan offers flexibility to lessen standards if the development will impact or eliminate wetlands. The zoning meets density targets and establishing minimum densities is important. In response to Councilor Patton, Community Development Director advised that, if parts of the Plan are not workable, then the Council could reevaluate and changes could be made to the Plan.

Motion by Councilor Dirksen, seconded by Councilor Moore, to forward a letter to the City of Beaverton and Washington County that when they consider the Plan they consider excluding areas in which zoning is not affected.

The motion was approved by a unanimous vote of Council present:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

- d. Motion by Councilor Moore, seconded by Councilor Dirksen, to adopt Resolution No. 02-12, with the revised findings as submitted by staff.

RESOLUTION NO. 02-12 – A RESOLUTION IMPLEMENTING THE WASHINGTON SQUARE REGIONAL CENTER PLAN INCLUDING ZONING, DEVELOPMENT CODE, AND COMPREHENSIVE PLAN AMENDMENTS ADOPTED PREVIOUSLY BY ORDINANCE NO. 00-18.

The motion was approved by a majority (4-1) vote of Council present:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	No

- e. Motion by Councilor Moore, seconded by Councilor Dirksen, to adopt Ordinance No. 02-12, with the revised findings as submitted by staff.

ORDINANCE NO. 02-12 – AN ORDINANCE ADOPTING THE COMPREHENSIVE PLAN AND DEVELOPMENT CODE CHANGES FOR THE WASHINGTON SQUARE REGIONAL CENTER (CPA 2001-00002/ZOA 2001-00002).

The motion was approved by a majority (4-1) vote of Council present:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	No

Council meeting recessed: 9:55 p.m.
Council meeting reconvened 10:09 p.m.

6. UPDATE FROM THE NEW TIGARD LIBRARY CONSTRUCTION COMMITTEE

Library Director Margaret Barnes presented the staff report, which is on file with the City Recorder.

7. UPDATE ON INSURANCE OPTIONS

Risk Manager Loreen Mills and JBL&K's Public Entity Division Manager Ron Graybeal presented the update to the City Council. A summary of the information reviewed with regard to the self-insurance review is on file in the City Recorder's office. The conclusion of the review was that the City should remain traditionally insured.

8. OVERVIEW OF THE CITY'S ENGINEERING DEPARTMENT (This item was set over to the March 26, 2002, City Council meeting.)

> CONSENT AGENDA ITEMS (Continued from earlier in the meeting – See Page 3)

4.3 Adopt a Resolution Recognizing Transfer of Juvenile Caseload to the Municipal Court – Resolution No. 02 – 13

City Manager Monahan reviewed previous Council discussions on this matter. In response to questions from Mr. Jack Polans, Councilor Patton reviewed the advantages for the City of Tigard to consider some juvenile cases in the Municipal Court. Costs for this transfer will be absorbed in the current budget.

Motion by Councilor Moore, seconded by Councilor Scheckla to adopt Resolution No. 02-13.

RESOLUTION NO. 02-13 – A RESOLUTION RECOGNIZING THE TRANSFER OF LIMITED JUVENILE CASELOAD FROM THE WASHINGTON COUNTY JUVENILE DEPARTMENT TO THE TIGARD MUNICIPAL COURT.

The motion was approved by a unanimous vote of Council present:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

4.4 Approve Bull Run Regional Drinking Water Agency Joint Funding Agreement

For the benefit of Mr. Jack Polans who asked for clarification on this agenda item, Councilor Patton and Public Works Director Wegner reviewed the history of this agenda item, which had been before the Council several times for discussion. The purpose of the agreement is to explore the feasibility to form a regional drinking water agency.

Motion by Councilor Patton, seconded by Councilor Scheckla to approve the joint funding agreement.

The motion was approved by a unanimous vote of Council present:

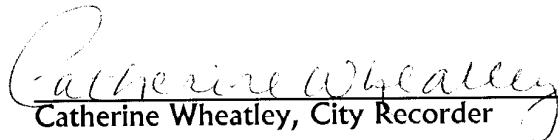
Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

9. COUNCIL LIAISON REPORTS: None


10. NON AGENDA ITEMS: None

11. EXECUTIVE SESSION: Canceled

12. ADJOURNMENT: 10:44 PM


Catherine Wheatley, City Recorder

Attest:



Mayor, City of Tigard
Date: April 23, 2002

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